

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Rashawn LaDon Smith

Docket No. 4:08-CR-82-1BO

Petition for Action on Supervised Release

COMES NOW Bentley H. Massey, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Rashawn LaDon Smith, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 50 Grams or More of Cocaine Base (Crack), 21 U.S.C. § 846, and Possession of a Firearm in Furtherance of a Drug Trafficking Offense, 18 U.S.C. § 924(c), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge on September 15, 2009, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On March 29, 2012, a motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2) was denied.

Rashawn LaDon Smith was released from custody on May 14, 2013, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 29, 2015, the defendant submitted a urine screen that returned positive for marijuana. The defendant denies direct use of the controlled substance, but admits being in close proximity to others using said drug. The probation officer believes the interest of justice would best be served by continuing supervision and modifying his conditions to include the DROPS condition at the second use level.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/Bentley H. Massey

Bentley H. Massey

Senior U.S. Probation Officer

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Executed On: May 13, 2015

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ORDER OF THE COURT

Considered and ordered this 14 day of May, 2015, and ordered, filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge